

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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**P.A.S.:** Change of Zone #3393

**DATE:** February 3, 2003

**SCHEDULED PLANNING COMMISSION:** February 19, 2003

**PROPOSAL:** A change of zone from I-1 Industrial District to B-3 Commercial District

**LAND AREA:** Approximately 0.55 acres

**CONCLUSION:** This change of zone request to B-3 is consistent with the Comprehensive Plan and the approved subarea plan and would support redevelopment activities proposed for the site.

|                        |          |
|------------------------|----------|
| <b>RECOMMENDATION:</b> | Approval |
|------------------------|----------|

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots 7, 8, 9 & 10, Block 1, Tresters Addition and vacated North-South alley, located in the SE 1/4 of Section 24, Range 10 Township 6, Lancaster County, Nebraska.

**LOCATION:** 1019 North 27<sup>th</sup> Street (1/2 block south of Y Street)

**APPLICANT:** Clay F. Smith  
B & J Partnership, Ltd  
P.O. Box 81906  
Lincoln, NE 68501

**OWNER:** Same

**CONTACT:** Same

**EXISTING ZONING:** I-1 Industrial District

**EXISTING LAND USE:** Commercial/Industrial (Adjacent to Abandoned Railroad Spur)

1019 North 27<sup>th</sup> Street (½ block south of Y Street)

### **SURROUNDING LAND USE AND ZONING:**

|        |                       |                               |
|--------|-----------------------|-------------------------------|
| North: | Commercial/Industrial | B-3/I-1                       |
| South: | Industrial            | I-1 (Abandoned Railroad Spur) |
| East:  | Industrial            | I-1                           |
| West:  | Commercial/Industrial | B-3/I-1                       |

### **HISTORY:**

**1979 Zoning Update**      This property was converted from K Light or L Heavy Industrial District to I-1 Industrial

**June, 1997**      *The North 27<sup>th</sup> Corridor Plan* was incorporated as an approved subarea plan of the Comprehensive Plan.

**March, 1998**      North 27<sup>th</sup> Street Redevelopment Plan (as amended)

### **COMPREHENSIVE PLAN SPECIFICATIONS** (related to this property):

Land Use Plan designates this area as Industrial/Commercial. (page F 25)

“Commercial: Areas of retail, office and service uses. Commercial may vary widely in their intensity of use and impact, varying from low intensity offices, to warehouses, to more intensive uses such as gas stations, restaurants, grocery stores or automobile repair. Each are designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all elements of the Comprehensive Plan.” (page F 22)

“Industrial: Areas where railroads, manufacturing, trucking and transportation facilities are the dominant land use. Some commercial activities may also take place in predominantly industrial districts, such as office, retail or warehouses.” (page F 22)

“The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use is often gradual. The Comprehensive Plan also encourages the integration of compatible land uses, rather than a strict segregation of different land uses.” (page F 27)

“Buildings and land uses at the edge of the center should be compatible with adjacent residential uses. Examples of compatible land uses include offices or child care centers. Buildings should be compatible in terms of height, building materials and setback. Small compatible commercial buildings at the edge could include retail or service uses. Buildings

1019 North 27<sup>th</sup> Street (½ block south of Y Street)

with more intrusive uses should have greater setbacks, screening requirements and be built of more compatible materials.” (page F 42)

“Citizens of the community have become increasingly concerned about “light pollution” and its affects upon neighborhoods and the environment. Lighting, dumpsters, loading docks and other service areas should be shielded from the residential area.” (page F 42)

“Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented.” (page F 49)

“Maintain and encourage retail establishments and businesses that are convenient to, and serve, neighborhood residents, yet are compatible with, but not intrusive upon residential neighborhoods.” (page F 49)

“Encourage efforts to find new uses for abandoned, under utilized or “brownfield” sites that are contaminated.” (page F 49)

“3. Require new development to be compatible with character of neighborhood and adjacent uses (i.e., parking at rear, similar setback, height and land use).” (page F 69)

“Another major factor in health care is the expansion of medical office space throughout Lincoln. Recently, new medical office buildings have been constructed in both the southern and northern portions of the city. This trend is likely to continue into the immediate future as the demand for health care services increases as a result of the community’s growing and aging population base.” (page F 131)

**“Subarea Planning**— The Comprehensive Plan provides broad guidance for achieving the community’s stated Vision. Putting details to the Plan takes additional effort. One means of doing this is through the preparation of subarea plans. Subarea plans offer greater details about the intended future of an area of the community — including land uses, infrastructure requirements, and development policies and standards. Many of these subarea plans are prepared by the City-County Planning Department, while some are prepared by other agencies and departments. Subarea plans from the previous (1994) Comprehensive Plan carried over as part of this Comprehensive Plan include:

- North 27<sup>th</sup> Street Corridor Plan, RDG Crose Gardner Shukert, April 1997.” (page F 156)

#### **THE NORTH 27<sup>th</sup> STREET CORRIDOR PLAN SPECIFICATIONS** (related to this property):

“Pedestrian safety and environment: The 27<sup>th</sup> and Y intersection has become a major neighborhood approach route to the 27<sup>th</sup> Street corridor. Pedestrian safety has improved

1019 North 27<sup>th</sup> Street (½ block south of Y Street)

here with the installation in 1996 of a traffic signal at the intersection. However, the corridor itself is highly auto-oriented and has few pedestrian amenities.” (page 27)

“The commercial strip pattern along 27<sup>th</sup> Street is interrupted by an industrial corridor, surrounding the Union Pacific spur. Industrial development along this spur is generally concentrated west of 27<sup>th</sup> Street. Some buildings and parcels along the corridor are currently vacant, providing possibilities for redevelopment.” (page 28)

“The future viability and use of the railroad and industrial corridor. While some corridor industries are strong, in other cases, vacant land or buildings create major opportunities for the areas future.” (page 29)

“Traffic function and conflicts. The combination of streetcar commercial buildings, auto-oriented commercial development with independent parking, and medians and intersection channelization create conflicts between local and through traffic on 27<sup>th</sup> Street and produce awkward traffic movements. This obsolete pattern may eventually be improved with further redevelopment and property improvement.” (page 29)

“Improved street landscaping where possible along parking lots or in conjunction with new developments.” (page 38)

“Using pedestrian-scale lighting and graphics along 27<sup>th</sup> Street.” (page 38)

“Providing clear paths from adjacent neighborhoods to the 27<sup>th</sup> Street corridor and activity centers near or along 27<sup>th</sup> Street.” (page 38)

“Requiring new projects to provide direct connection from front door of business to 27<sup>th</sup> Street sidewalks. Design which require pedestrian to cross parking lots in order to get businesses should be discouraged.” (page 38)

“Whenever possible, encourage project designs which place commercial buildings rather than parking lots along the street. Setbacks should be adequate to provide for separation from traffic and adequate landscaping; however, the pedestrian should be engaged with the building, rather than parking lots. Parking should generally be developed to the side or rear of commercial buildings.” (page 38)

*North 27<sup>th</sup> Street Corridor Plan*, Concept Plan Map, identifies this general location with “New Office/ Commercial.”

“Possible redevelopment of vacant or underused industrial buildings north of the railroad corridor on the west side of 27<sup>th</sup> Street.” (page 43)

1019 North 27<sup>th</sup> Street (½ block south of Y Street)

“Conceptual Site Plan of Railroad Corridor identifies this property as New Office/Commercial.” (page 49)

**UTILITIES:** This area is within the Future Service Limit of the Comprehensive Plan. All utilities are available or planned for this area.

**TOPOGRAPHY:** The topography is flat across the site.

**TRAFFIC ANALYSIS:** North 27<sup>th</sup> Street is classified as a minor arterial adjacent to this site. The Comprehensive Plan states that “This class interconnects with, and augments principal arterials, distributes traffic to smaller areas, and contains streets that place some emphasis, on land access. These are characterized by moderate to heavy traffic volumes. (page F 102 - B. Minor Arterials).

**PUBLIC SERVICE:** This area is served by City of Lincoln public safety services and utilities, and by Lincoln Public Schools.

**ENVIRONMENTAL CONCERNS:** n/a

**AESTHETIC CONSIDERATIONS:** See above section on *The North 27<sup>th</sup> Street Corridor Plan* specifications.

**ANALYSIS:**

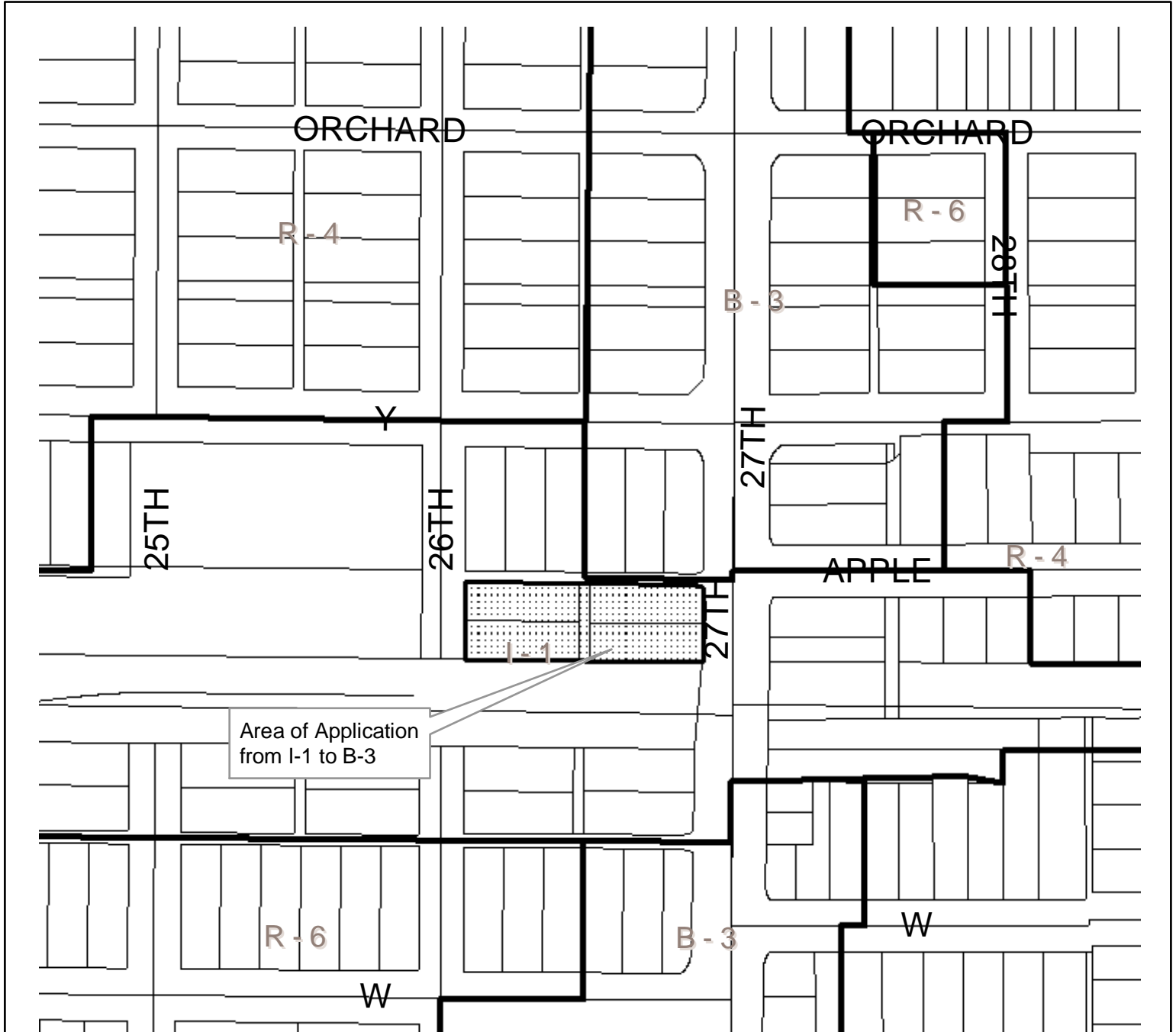
1. This request is for a change of zone from I-1 to B-3.
2. The structure located on this property does not appear to be of any historical and architectural significance.
3. The City Council adopted the 2025 Lincoln-Lancaster Comprehensive Plan which incorporated *The North 27<sup>th</sup> Street Corridor Plan* as a subarea plan on May 28, 2002. Future redevelopment of this area should be consistent with the guidelines identified in *The North 27<sup>th</sup> Street Corridor Plan*.
4. This application is at the request of the owner of the property who is seeking a change of zone from I-1 Industrial to B-3 Commercial. The purpose of the change of zone is to facilitate the redevelopment of the former broom factory building and retail battery store building presently owned by the applicant, along with a vacant pawn shop building which the City of Lincoln has acquired. The three buildings are part of a redevelopment project initiated by the Urban Development Department - - B & J Partnership Ltd., has been selected the developer of record to carry out the redevelopment plan.

5. The proposed redevelopment plan includes demolishing these buildings and replacing with new buildings for a public health clinic office and/or retail uses. The applicant believes the redevelopment can be best accomplished by extending the B-3 zoning district and eliminating the industrial I-1 zoning district. In addition, the applicant believes the new zoning will protect the interests of the surrounding neighborhood.
6. Urban Development Comments: The I-1 zoning was appropriate when the railroad line was active. However, since removal of the tracks and given the potential for redevelopment along the former railroad line, the change of zone to B-3 is most appropriate. The change of zone to B-3 is consistent with *The North 27<sup>th</sup> Street Corridor and Environs Redevelopment Plan*.
7. The proposed project is consistent with the guiding principles in *The North 27<sup>th</sup> Street Corridor and Environs Redevelopment Plan*, which was found in conformance with the Comprehensive Plan in September 2002. This Plan was developed in partnership with surrounding neighborhoods and business owners along North 27<sup>th</sup> Street. The redevelopment plan is based on an approved Subarea Plan, *The North 27<sup>th</sup> Street Corridor Plan*.
8. *The North 27<sup>th</sup> Street Corridor and Environs Redevelopment Plan specifications:* These parcels are located within an approved redevelopment area. The redevelopment activities identified for these parcels include demolition of the deteriorated commercial buildings, and replacement with retail/office buildings. The proposed land use plan for the North 27<sup>th</sup> corridor shows these parcels as commercial.
9. This change of zone will serve to enhance compatibility among future land uses by ensuring there is uniform zoning across the lots involved in the proposed redevelopment project which are planned to be under single ownership.

Prepared by:

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Duncan Ross, AICP  
Planner



## Change of Zone #3393

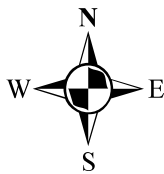
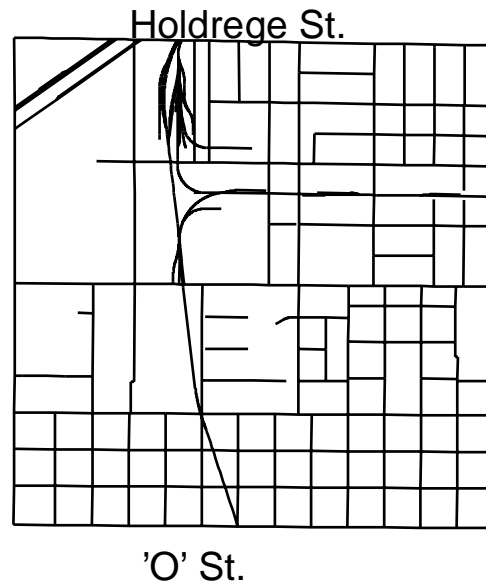
N. 27th & 'Y' St,

### Zoning:

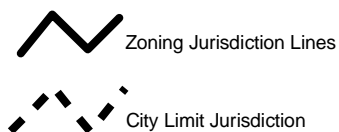
|            |  |
|------------|--|
| R-1 to R-8 | Residential District                   |
| AG         | Agricultural District                  |
| AGR        | Agricultural Residential District      |
| R-C        | Residential Conservation District      |
| O-1        | Office District                        |
| O-2        | Suburban Office District               |
| O-3        | Office Park District                   |
| R-T        | Residential Transition District        |
| B-1        | Local Business District                |
| B-2        | Planned Neighborhood Business District |
| B-3        | Commercial District                    |
| B-4        | Lincoln Center Business District       |
| B-5        | Planned Regional Business District     |
| H-1        | Interstate Commercial District         |
| H-2        | Highway Business District              |
| H-3        | Highway Commercial District            |
| H-4        | General Commercial District            |
| I-1        | Industrial District                    |
| I-2        | Industrial Park District               |
| I-3        | Employment Center District             |
| P          | Public Use District                    |

One Square Mile  
Sec. 24 T10N R6E

N. 14th St.



N. 27th St.





## **B & J Partnership, Ltd.**

P.O. Box 81906 Lincoln NE 68501

340 Victory Lane Lincoln NE 68528

Phone 402.323.3100 Fax 402.323.3101

January 22, 2003

City of Lincoln Planning Department  
Attn: Abby

VIA FAX 441.6377

FAX TRANSMISSION IS 2 PAGES

RE: Application for Change of Zone for 1017 North 27<sup>th</sup> Street

Dear Abby,

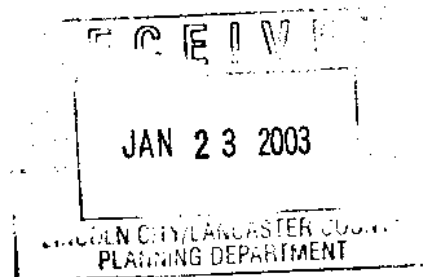
The purpose of this letter is to confirm that the attached City Of Lincoln Zoning Application should have indicated that the requested change of zone was from I-1 to B-3 and not from I-1 to B-2.

Thank you very much for bringing this typographical error to our attention.

With best wishes,

Michael J. Tavlin  
Chief Financial Officer

Cc: Mr. Clay Smith  
General Partner





**B & J PARTNERSHIP, LTD.  
P. O. Box 81906  
LINCOLN, NE 68501**

January 29, 2003

City of Lincoln Planning Department  
Attn: Duncan Ross

VIA FAX 441.6377

FAX TRANSMISSION IS 1 PAGE

RE: Application for Change of Zoning

Dear Mr. Ross:

This letter is written in response to a telephone call I received yesterday from your office. A request was made that B&J provide additional information or background regarding the requested change of zoning for the North 27<sup>th</sup> Street properties.

The purpose of the rezoning is to permit the redevelopment of the old broom factory building and an old retail battery store building presently owned by the applicant, along with an old pawn shop building which the City of Lincoln has acquired. The three buildings are part of a redevelopment project the City Urban Development Department has initiated. The applicant has been selected to be the developer of record to carry out the redevelopment plan.

The proposed redevelopment plan includes a public health clinic, office and retail uses. Both the developer of record and the City Urban Development Department believe the redevelopment can best be accomplished by extending the B-3 zoning and eliminating the industrial I-1 zoning. In turn, the new zoning pattern will best accommodate and protect the interests of the surrounding neighborhood.

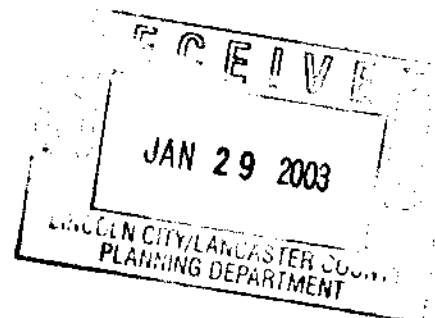
Please do not hesitate to contact me directly at 402.323.3122 if you have further questions or if you would like to receive additional information.

With best wishes,



Michael J. Tavlin  
Chief Financial Officer

Cc: Mr. Kent Seacrest



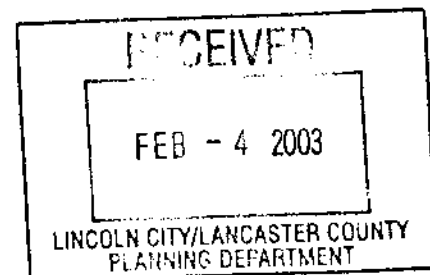
# M E M O R A N D U M

**To:** Duncan Ross, AICP, Planner  
**From:** Wynn Hjermsstad, AICP, Community Development Manager  
**Date:** February 3, 2003  
**Subject:** Application No. CZ 3393  
**cc:** Marc Wullschleger, Director, Urban Development Department

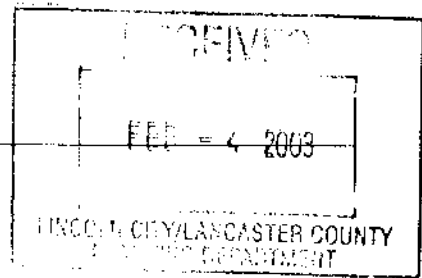
On behalf of the Urban Development Department, thank you for the opportunity to comment on Application No. CZ 3393, request by B & J Partnership to rezone the property at 1017 North 27<sup>th</sup> Street from I-1 to B-3. The Urban Development Department supports this application.

The I-1 zoning was appropriate when the railroad line was active. However, since removal of the tracks and given the potential for redevelopment along the former railroad line, the rezoning to B-3 is most appropriate. It is also consistent with the North 27<sup>th</sup> Street Redevelopment Plan that this property be zoned B-3.

Again, thank you for the opportunity to comment. Please contact me at 441-8211 or [whjermsstad@ci.lincoln.nc.us](mailto:whjermsstad@ci.lincoln.nc.us) if you have questions.



# M e m o r a n d u m



**To:** Duncan Ross, Planning Department

**From:** Charles W. Baker, Public Works and Utilities *CBH*

**Subject:** Change of Zone #3393, 1017 North 27th

**Date:** February 3, 2003

**cc:** Randy Hoskins  
Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for the Change of Zone from I-1 to B-3 at the property located at 1017 North 27th Street and has no objection.